

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

BOBBY DEAN BRIGHT,

Petitioner,

VS.

NATHANIEL QUARTERMAN,

Respondent.

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CIVIL ACTION NO. C-06-260

**MEMORANDUM OPINION AND ORDER DENYING MOTIONS FOR A JURY TRIAL  
AND FOR AN ADVISORY JURY**

Petitioner's motions for a jury trial and/or for an advisory jury (D.E. 11, 12) are denied. No decision has been made as to whether an evidentiary hearing is necessary. Petitioner has cited no authority indicating he is entitled to a jury trial on issues which may require an evidentiary hearing, and the undersigned knows of none.

The District Judge will determine whether an evidentiary hearing is necessary. Rule 8(a), Rules Governing Section 2254 Cases. If scheduled, the rule provides that evidentiary hearings be held before the District Judge, or if referred, before a United States Magistrate Judge. Rule 8(b), Rules Governing Section 2254 Cases. There are no provisions for jury trials in habeas cases.

ORDERED this 19th day of July, 2006.

  
B. JANICE ELLINGTON  
UNITED STATES MAGISTRATE JUDGE